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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application No. : 09/517,977 Confirmation No.: Not Yet Assigned  
Applicant : Dean BOYD *et al.*  
Filed : Concurrently Herewith  
Title : TARGET PRICING METHOD  
TC/A.U. : Not Yet Assigned  
Examiner : Not Yet Assigned  
Docket No. : 82001-0312 CON  
Customer No. : 24633

MAIL STOP PATENT APPLICATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

TRANSMITTAL FOR A NEW CONTINUATION  
PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)(1)

This is a request for filing a **Continuation** patent application under 37 C.F.R. §1.53(b)(1) of:

Inventor: Dean BOYD, Thomas E. OREGON AND Robert PHILLIPS

Title: TARGET PRICING METHOD

☒ Applicant petitions for an extension of time for prior application no. 09/517,977, the fees for which are set out in 37 C.F.R. §1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two month	\$ 450.00	\$ 225.00
<input checked="" type="checkbox"/> three month	\$ 1020.00	\$ 510.00
<input type="checkbox"/> four month	\$ 1590.00	\$ 795.00
<input type="checkbox"/> five month	\$ 2160.00	\$ 1080.00

1. ☒ This is a new UTILITY patent application, which is a Continuation of U.S. Patent Application Serial No. 09/517,977, filed March 3, 2000, which claims priority from U.S. provisional patent application no. 60/123,345 filed March 5, 1999, which further claims priority to U.S. provisional patent application no. 60/122,958 filed March 5, 1999, which further claims priority to U.S. provisional patent application no. 60/178,501 filed January 27, 2000 all of which are incorporated herein by reference in their entirety.

2. **The papers enclosed to obtain a filing date are as follows:**

- 55 Pages of Application including:  
41 Pages of Disclosure;  
09 Pages of Claims (2 Independent – 15 Total Claims); and  
01 Page of Abstract  
04 Sheets of drawings containing Figures 1, 2A-2B, 3A-3B, 4-5

3. **Combined Declaration and Power of Attorney**

- ☐ Enclosed and is newly executed by all inventors.  
☒ Enclosed in this continuation application and is a copy from a prior application (37 CFR § 1.63(d).  
☐ **Not Enclosed.**  
This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant awaits notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

4. **Language - English**

5. **Assignment** - An assignment to Manugistics, Inc. will be filed at a later date.

6. **Priority** - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

☐ Priority of the following foreign application(s) is claimed:

Country	Application No.	Filed

Certified copy: ☐ is attached. ☐ will follow.

7. **Priority based on provisional application under 35 U.S.C. §119(e)**

☒ Benefit of the following U.S. provisional application(s) is claimed:

Provisional Application No.	Filed
60/123,345	March 5, 1999
60/122,958	March 5, 1999
60/178/501	January 27, 2000

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8. Priority based on the provisions of 35 U.S.C. §120  
☐ Benefit of the following U.S. application is claimed:

Non-Provisional Application No.	Filed

9. **Preliminary Amendment**

- ☒ Amend the specification by inserting before the first line the sentence:  
"This application is a ☒ continuation, ☐ division of co-pending application  
number 09/517,977, filed March 3, 2000, which is hereby incorporated by  
reference"

10. **Small entity status**

- ☐ Small entity status under 37 C.F.R. §1.27 is claimed for this application.

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11. **Fee Calculation (37 C.F.R. § 1.16)**

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Fees
Total Claims (37 C.F.R. §1.16(c))	15 - 20 =	0	\$ 50/25 ea =	0.00
Independent (Claims 37 C.F.R. §1.16(b))	2 - 3 =	0	\$ 200/100 ea =	0.00
Basic Filing Fee \$300/150				300.00
Utility Search Fee \$500/250				500.00
Examination Fee \$200/100				200.00
Utility Application Size Fee—for each additional 50 sheets that exceeds 100 sheets \$250/125				0.00
Declaration Surcharge under 37 C.F.R. § 1.16(e)				0.00
Multiple Claim Fee \$360				0.00
Extension of Time for Three (3) Months				1,020.00
<b>TOTAL =</b>				<b>2,020.00</b>
Minus ½ for Small Entity				
<b>TOTAL FILING FEE</b>				<b>2,020.00</b>

12. **Fee Payment:**

- ☒ A check in the amount of **\$2,020.00** for the Application filing fees is enclosed.
- ☐ A check in the amount of \$0.00 for the Assignment Recordation fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge Deposit Account No. 50-1349 to cover the Continuation application filing fee of \$0.00. A duplicate copy of this form is enclosed for fee processing.

13. ☐ **Fee Payment Not Enclosed.**  
**NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

14. ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may

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be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

15. Additional papers enclosed:

- ☐ Nonpublication Request pursuant to 37 CFR § 1.213
- ☐ Combined Power of Attorney by Assignee and Certificate under 37 CFR § 3.73(b)
- ☐ Change of Correspondence Address
- ☒ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Form PTO- 1449, documents as listed
- ☐ Declaration of Biological Deposit
- ☒ Copy of Decision Granting Petition Under 37 CFR 1.47(a).

**Please accord this application an application number and filing date.**

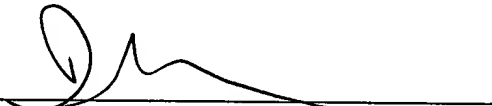
Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: June 1, 2006

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